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Marine and General Insurance Company

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

NEW YORK MARINE AND
GENERAL INSURANCE COMPANY,
a New York corporation,

Plaintiff,

v.

AMBER HEARD, an individual,,

Defendant.

Case No. 2:22-cv-04685-GW(PDx)

Consolidated for Pre-Trial Purposes
with 2:21-cv-5832-GW (PDx)

**NEW YORK MARINE AND
GENERAL INSURANCE
COMPANY'S AMENDED NOTICE
OF CROSS-APPEAL**

Hon. George H. Wu

Complaint Filed: July 8, 2022

AMBER HEARD, an individual,

Counter-Claimant

v.

NEW YORK MARINE AND
GENERAL INSURANCE COMPANY,
a New York Corporation,

Counter-Defendant

1 PLEASE TAKE NOTICE that Plaintiff and Counter-Defendant New York
2 Marine and General Insurance Company (“NY Marine”), hereby cross-appeals to the
3 United States Court of Appeals for the Ninth Circuit from: (1) the Court’s August 14,
4 2023 Order granting Heard’s motion to dismiss NY Marine’s First Amended
5 Complaint with leave to amend and denying NY Marine’s Motion for Judgment on
6 the Pleadings, adopting the Court’s tentative ruling of August 10, 2023, true and
7 correct copies of which are attached hereto as Exhibits 1 and 2; and (2) the Court’s
8 final Order of October 12, 2023 adopting its tentative ruling granting Heard’s Motion
9 to Dismiss NY Marine’s second amended complaint with prejudice and without leave
10 to amend and dismissing the entire action with prejudice, true and correct copies of
11 which are attached hereto as Exhibits 3 and 4.

12 NY Marine’s representation statement was previously filed on November 16,
13 2023 with its initial Notice of Cross-Appeal.

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15 Dated: November 20, 2023

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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18 By: /s/ James P. Wagoner

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